

IT'S MR. LAMBERT'S BODY

Dentist J. E. Morgan Makes Identification Today.

Gives His Testimony at Coroner's Inquest.

ADJOURNMENT TAKEN.

Inquiry Will Be Resumed on Tuesday.

Remains Taken Home by Friends This Afternoon.

FOUND LAST EVENING.

Body Charred and Burned Beyond Recognition.

Work of Searching the Ruins Goes On.

"I think the body is that of Isaac E. Lambert, without a question."

This was the reply of Dr. John E. Morgan of Emporia, to a direct question of County Attorney John J. Schenck, at the coroner's inquest held in the Shellbarger undertaking rooms this forenoon.

This testimony practically removes all doubt as to the identity of the dead man whose body was found last night in the basement of the Copeland hotel, a charred and unrecognizable mass.

The identification was made still stronger by Dr. Morgan, who in replying to Mr. Schenck's question, "Do you think there is any doubt of it?" replied: "Well there might be a doubt but still everything indicates it to be the body of Mr. Lambert. The general stature, what there was left of it, the contour of his head, the angle of his jaw and the general make-up, indicated without doubt to me that it was the body of Mr. Lambert."

"Is there anything about the body of this dead man that does not conform with the body of Mr. Lambert as you know him," was asked by one of the jurors.

"There is not," replied Dr. Morgan. Dr. Morgan is an Emporia dentist and he has done work on Mr. Lambert's teeth for the past several years. He was thoroughly familiar with the teeth of the dead man, knew him personally and was a most intimate friend.

He was on the jury stand before the coroner's jury for an hour, and was closely questioned by Mr. Schenck in order to bring out all the details.

"The teeth of the body indicate that of a man of Mr. Lambert's years," said Dr. Morgan during the course of his testimony. There are fillings in the jaws which I know are practically identical with those of Mr. Lambert. The gold fillings which were in the teeth still remaining in the body had been there for years and were there before I had ever done any professional work on his teeth. I filled one tooth a number of years ago which was in the upper front teeth. This filling was the root with gutta percha and the body of the tooth was filled with gold. These front teeth were knocked out, how I cannot say, possibly by the fall and possibly by something striking against him after he fell, or they may have been burned. There was not a poor tooth in his head.

"The size of a man's teeth and their general structure are usually considered indicative of the size of the man. The teeth in this body indicate that the man was about the size of Mr. Lambert."

"The care which had evidently been taken of the teeth was of the kind generally taken by a man of means. The back teeth were filled with gold. This also points to a man of means, as those with limited means generally use an amalgam filling."

Coroner's Inquest Adjourns.

The jaw as found after the body had been removed to the morgue, contained, according to Dr. Morgan, one first and second bicuspid and one first molar on the lower left jaw; two molars and two bicuspids on the upper left jaw; and two molars on the upper right jaw; in all eleven teeth.

The coroner's inquest did not conclude its work this morning but adjourned until two o'clock next Tuesday afternoon. "The inquest will undoubtedly take considerable time as we wish to go into the affair to the bottom," said Dr. Keith today. "I wouldn't be surprised to see it require nearly all of Wednesday."

The jury was composed of C. W. Knowles, H. B. Howard, Capt. A. M. Fuller, Ed. R. Keilmann, M. F. Rigby and G. P. Worley.

Body Viewed by Friends.

The body which was recovered from the hotel ruins was viewed by several of Mr. Lambert's old friends and neighbors from Emporia this morning and all were positive in their identification of the body as being that of Mr. Lambert. Among these were O. M. Whitte, Howard Dunlap, W. I. Higgins, W. C. Harris, R. M. Hamer, O. W. Way, John E. Martin, Fred Lakin, N. Guettel, Dan Dryer and A. H. Gufer.

"I have no doubt that these remains are those of Mr. Lambert," said Mr. Whitte, while viewing the remains this morning. "Every indication is in keeping with the general appearance of Mr. Lambert."

N. Guettel, manager of the Palace Clothing company's branch at Emporia, said this morning: "I have known Mr. Lambert for a number of years, and I am sure that these remains are his. He was a well-dressed man and a man of general good bearing, and orderly in his appearance. Everything that has been brought out regarding these remains indicates that it is Lambert."

A. H. Gufer, exalted ruler of the Elks in Emporia, who lodge Mr. Lambert was an active member. In viewing the remains this morning, he said: "I feel positive that this is the body of Mr. Lambert."

Funeral on Sunday.

The remains of Mr. Lambert were taken to Emporia over the Santa Fe

DEBATE HOUSE

First One Takes Place at the Morning Session.

Democrats Favor Contestants for Seats Giving Bond.

IT FINALLY PASSES.

But Not Until Republicans Had Amended It.

Rush of New Bills Continues Unabated.

The rush of bills continue in the house today and passed well over the century mark, the last one being numbered 123. The house adjourned at 11:30 to 2:30 this afternoon, the motion to adjourn to Monday being defeated.

Of great importance among today's bills are: State publication of school books by Stone of Shawnee and duplicate of the Stone bill by Penwell of Shawnee. The bill by Stone of Shawnee requiring all precincts in the state to use voting machines in elections hereafter. Three guarantee of bank deposit bills, one each by Krebhiel, Buckman and Morrison. The state forestry bill by Morgan of Elmer. These bills will be sure to excite interesting debate later in the session which will attract close attention generally over the state.

A significant feature of the Stone bill on state publication of school books is the fact that it is an exact duplicate of the Hodges bill in the senate and the Penwell bill in the house. Hodges and Penwell are both Democrats, so it would appear that certain members of both parties have agreed on the state publication plan. The Stone bill introduced today is changed from the Stone bill outlined in the State Journal some weeks ago when the O. K. of State of that of the three state school bills, now before the legislature, the text of these measures is the same, and two of them were drawn up and agreed to at a Democratic caucus.

New Guarantee Bill.

Krebhiel's bill for guarantee of bank deposits provides for a Bankers' Guarantee association for election of officers and meetings at which each county is entitled to one representative. The executive committee of the association, composed of the officers, shall pass on the applications of banks for membership. One-fourth of one per cent is required for the establishment of a guarantee fund of two and one-half millions. The state treasurer shall have charge of this fund and is empowered to make loans from it to the banks of the state under the same conditions that govern the loaning of state funds to the banks of the state. (In other words, the banks will have the privilege of borrowing their own money.)

McNair introduced a re-apportionment bill, providing for the division of the state into districts, each of which gives representation to every county in the state, without increasing the number of representatives. The bill was passed by a vote of 10 to 9.

Two bills for the protection of quail and other game birds were introduced today.

First Debate of Session.

The first debate of the session occurred this morning over the resolution requiring contestants for seats in the house to file a bond of \$100,000, of good faith and to cover the costs of the contest. This resolution was finally passed, but not until an amendment by Stone of Shawnee, which forbids the forfeiture of the bond where the contestant showed good grounds and evidence for the contest.

Foley of Rice, Mitchell of Douglas and Stone of Shawnee all spoke vehemently on this resolution, Foley, Democrat, and Stone, Republican, for and against it, while Mitchell, Republican, spoke in support of it without a party division on the question.

Raps Morning Paper for Inaccuracy.

Gray of Phillips introduced the following resolution, which would indicate to the members of the house that they were taking kindly to the plan of racket store prizes in connection with the purchase and excellence of a newspaper.

"Be it resolved, by the house of representatives, whereas, the Topeka Daily Capital, a paper of state wide circulation, has given out the impression in its issue of Jan. 15 that the house employment committee has added fifteen more employees to the staff of the house, and whereas, the same misleading as the employment committee in the first report had not reported the full quota of 44 employees and had only listed the report of yesterday reported the remaining of the 44 employees to be hired as the total number of house employees."

The resolution was read the first time and adopted.

Speaking of the Capital's article, Speaker Dolley declared that he regarded it as a great injustice to the members of the house as well as a misrepresentation of facts.

Additional House Committees.

Speaker Dolley announced the following committees at this morning's session.

COMMITTEE ON TEMPERANCE.

Haskins of Johnson, Newlin of Douglas, Phillips of Sumner, Krebhiel of Harvey, Laubach of Osage, Lennan of Ness, McMillan of Mitchell, Foley of Penwell.

COMMITTEE ON MANUFACTURES.

McCormack of Crawford, Crumley of Thomas, Morton of Osborne, Reeder of Doniphan, Snyder of Leavenworth, Deacon of Cherokee, Hutchison of Wyandotte.

JUDICIARY LOCAL.

Cunningham of Cowley, Westcott of Cherokee, Bryden of Osage, Griffen of Barry, Haskins of Johnson, Harrison of Franklin, Hopkins of Jackson, Landrey of Wyandotte, Crosby of Cheyenne.

PENAL INSTITUTES.

Banker of Russell, Clark of Jefferson, Cranston of Labette, Carter of Wal-

AT THE CAPITAL

Millennium at Hand for Civil Service Commission.

Fourth Class Postmasters to Be "Under the Umbrella."

TAKES AWAY POWER.

Have Effect of Weakening Influence of Congressmen.

Pension Bills for Kansas Veterans Pass the House.

Washington, D. C., Jan. 15.—Something like a millennium is at hand for the civil service commission. When the fourth class postmasters are all under the umbrella, as they promise to be every month or so, by practically every government employee, who can properly be in the classified service, will be under the commission's jurisdiction. It marks a great victory in the struggle for the abolition of "feudal administration" and for the civil service idea, which has been distinguished by the nineteenth century.

Politicians in Washington no longer go about ridiculing the "snivel service." Congressmen have ceased making annual speeches against it for the delectation of their spoils loving constituents. The old plank of voting down the appropriations for its maintenance and support is no longer attempted in the house. The arguments against the institution were never effective, for which reason senate and house refused to take up the question of its abolition. Now the commission is becoming highly respected. Public sentiment in its favor is so strong that politicians are actually eager to champion it.

The commission insists that the president's recent order will prove a boon to the cause of political reform. It will take from the hands of senators and members a power which has made for the demoralization and inefficiency of the postal service. Heretofore the president has been in states covered by the president's order will not be permitted to serve on political committees, to attend any political conventions, to make stump speeches, or to be active in political leadership.

So confident is the commission of the success of this latest step that there are already suggestions about getting postmasters of the second and third class under the classified service. There are 1,594 postmasters of the second class, and 4,863 of the third class.

It would all but eliminate the post-offices of the entire country from political consideration. Democrats as well as Republicans would be handling the mails. The civil service commission never asks the politics of those who come before it for eligible lists. Ability and fitness are the sole qualifications. There are but 384 postoffices of the first class in the United States. There are so few of them in any state that congressmen could not build up powerful political machines by their aid.

A group howl went up from congress a few years ago, when the carriers of rural mail were classified. The Republican managers, who saw in these rural carriers a fine opportunity for making care of party workers, said it would never work. It was folly to talk about a horse and wagon taking a civil service examination. Today the commission regards the efficient rural carrier service as one of the best monuments to its efforts. Fourth Assistant Postmaster DeCraw, in his last annual report, observed that "the high standard of efficiency maintained by the rural carriers and their fidelity and integrity are forcefully attested by the fact that only 165 carriers out of a total of 39,143 were dismissed for cause."

The estimates of military expenditures for the next fiscal year, now in the hands of congress, contain an estimate of \$165,000 for the construction of an artillery drill hall at Fort Riley.

Five bills granting increased pensions to Kansas veterans have passed the house. The beneficiaries are: Richard R. Richards, company L, Sixteenth regiment Kansas volunteer cavalry, \$24 per month. Andrew J. Arensten, company E, Seventeenth regiment Kansas volunteer cavalry, \$30. Lewis A. Edwards, company E, Tenth regiment Kansas volunteer infantry, \$30. Joseph P. Fox, company F, Thirteenth regiment Kansas volunteer infantry, \$24. George W. Maxwell, company L, Nineteenth regiment Kansas volunteer cavalry, \$12.

Mrs. Miller, wife of the Kansas congressman, has arrived in Washington and is at her home, 3213 Thirtieth street, northwest. She will receive informally Tuesdays throughout the remainder of the season.

Pension bills have been introduced in the house for Josiah Yoder and Wellington B. McCurdy, both of Kansas.

HAT MAKERS STRIKE.

Recent Attempt to Cut Out the Union Label.

Newark, N. J., Jan. 15.—Four thousand workers in the hat factories in Orange struck this morning when they were notified by the union leaders that the electric light plant, a defective one, had been ordered to be replaced by the city. It is believed that a gas jet set fire to a partition.

SHERIFF SELLS ROAD.

Missouri River & Northwestern Brings Nearly a Hundred Thousand.

Rapid City, S. D., Jan. 15.—At a sheriff's auction here today the Missouri River & Northwestern railroad, known as the Crouch line, was sold to Louis Rosenwels of Erie, Pa., for \$98,950. The line is thirty-nine miles long and runs from Rapid City west to Mystic.

Hornaday Bank Pays 35 Per Cent.

Washington, Jan. 15.—The comptroller of the currency is preparing to send out checks covering the first dividend of the First National bank of Fort Scott, Kan., amounting to 35 per cent.

HAINS IS FREED.

Jury Finds Him Guiltless of Murder of Annis.

His Brother Who Did the Shooting Yet to Be Tried.

WERE OUT ALL NIGHT

And This Morning Asked to Again Hear Evidence.

Proceeding Almost Like Going Over Case Again.

Flushing, N. Y., Jan. 15.—Thornton J. Hains was today acquitted of the charge of murder in the first degree which grew out of the killing of William E. Annis at the Bayview Yacht club, August 15, 1908. Hains stood in his brother's chamber, Captain Hains, while the latter shot Annis, but did not actually participate in the shooting. His brother, Captain Hains, has not yet been put on trial.

Flushing, N. Y., Jan. 15.—The jury in the trial of Thornton Jenkins Hains, charged as a principal with his brother, Captain Peter C. Hains, Jr., in the killing of William E. Annis, was still deliberating on the evidence this morning having been out since 5 o'clock yesterday afternoon. Shortly after 3 o'clock this morning the jury sent word that they desired to have the maps, photographs of the Bayview Yacht club house, which was sent them by Justice Crane, and information came from the jury room during the night as to the progress made toward a verdict. The 12 men went to a breakfast at a hotel across the street from the court house at 7:30. Justice Crane went to New York.

Justice Crane went to New York. The physician states, has been affected by the shock of his accident and the excitement of the case. Patrick Ahern, another juror, is suffering from a heavy cold.

Thornton Hains slept through the early hours of the morning on a table in the study of his brother, Major John Hains, wrapped his army coat about him and stretched out on a court room bench.

John F. McIntyre, chief of Hains' counsel, and his associates, slept for a couple of hours, while District Attorney Darrin, after a short nap in a chair went home to rest.

Justice Crane appeared to stand the all night session better than the rest. During the night General Hains and his wife, who were in the city at a late hour called up frequently on the telephone to learn if a verdict had been reached.

Shortly after 8 o'clock the jury sent word to Justice Crane that they would like to have read to them the testimony of John Tierney, the ash collector; Dr. McBride, member of the Bayview Yacht club, who was on his boat near the float when the shooting occurred; Dr. McBride was the physician who examined the victim; and Justice Crane sent for counsel on both sides and Thornton Hains, who had been in the city since the shooting, to appear in court and explain that event of the day would be consumed in going over the testimony, though Justice Crane hoped that only a part of it would have to be explained.

Justice Crane said he would not dismiss the jury for a failure to agree until 24 hours had elapsed from the time the jury went out. At 8:40 o'clock, and after Thornton Hains was brought in sent for the jury. The defendant sent a free trial in better spirit of notwithstanding his ordeal of waiting all night for the verdict, than at any time in the last two weeks.

The jurors appeared worn and weary from their all night's deliberations. The request for the reading of the testimony having been made formally and the cross-examination as well as the direct testimony must be read, the testimony of Captain Hains was in effect that he saw the shooting from his boat anchored near the float, but that the sails and booms prevented him from seeing what was going on in any detail. Captain Clark testified that he saw Thornton Hains on the dock 20 minutes before the tragedy but that he did not see him at the moment of the shooting.

In brief, Dr. McBride's testimony was that he did not know William E. Annis. He was on one floor when the shooting occurred; that he saw a man waving a revolver back and forth, and that the last shot was fired after the man had waved his revolver.

Dr. McBride said he did not know the man who waved the revolver.

PROMINENT MAN DEAD.

A Man High in the Order Dies at Wichita.

Word has been received by the Masonic fraternal of this city that J. Giles Smith, a very prominent 33d degree Mason of Wichita, died in that city Wednesday. Mr. Smith was a native of Kansas and a member of the Scottish Rite lodge, No. 1, of that city. He was really the founder and aggressive organizer and promoter of the great Consistory built up in that city. For many years he was the deputy of the active members of the supreme council in Wichita, and his loss will be severely felt. A night session of the Scottish Rite lodge of the deceased will be held in the Scottish Rite Cathedral at Wichita on Friday night, and the funeral will take place on Saturday. It is probable that some representatives of the Scottish Rite bodies of this city will attend the services.

Weather Indications.

Chicago, Jan. 15.—Forecast for Kansas: Fair in west, snow flurries in east portion tonight; Saturday fair; rising temperatures tonight and Saturday.